

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

MORCOUS MORGAN and)	
ERIEN IBRAHIM,)	
Petitioners,)	
)	Civil Action No. 04-11017-RCL
v.)	
)	
JOHN ASHCROFT, MICHAEL GARCIA,)	
BRUCE CHADBOURNE, and)	
ANDREA CABRAL,)	
Respondents.)	

**PETITIONERS' EMERGENCY MOTION FOR HEARING
ON STAY OF REMOVAL REQUEST**

Now come the Petitioners to move for an emergency hearing before the court concerning Petitioner Morgan's imminent removal by the Respondents. **Petitioners have been informed that the Respondents are planning to remove Petitioner Morgan from the United States on Wednesday, June 23, 2004.** Petitioners assert that removal of Petitioner Morgan before a full hearing and adjudication of the Petition for a Writ of Habeas Corpus will nullify the issues raised and deprive Petitioners of all Constitutional protections.¹

Should the court not grant a hearing or a stay of removal before the removal date of June 23, 2004, Petitioners respectfully ask the court to issue an order in this case before

¹ The imminent removal of Petitioner Morgan will also cause devastating emotional and psychological harm on his two United States citizen children who have been deprived of their father since his surprise arrest by immigration authorities on May 19, 2004.

that date so that Petitioners may timely pursue their rights to appeal before the First Circuit. (Petitioners are prepared to file a Notice of Appeal, Emergency Motion for a Stay, and a Brief in Support of Appeal immediately after the issuance of the court's order in this case.)

In that Petitioner Morgan has been present in the United States since 1998, has no criminal record, and has two United States citizens children, there is no reasonable basis to remove him without his being given the full panoply of rights and protections, including full adjudication of the issues raised before this court.

Respectfully submitted,

Petitioners by their Attorney,

/s/Saher J. Macarius
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CERTIFICATE OF SERVICE

I hereby certify that a copy of **PETITIONERS' EMERGENCY MOTION FOR HEARING ON STAY OF REMOVAL REQUEST** was served via the US mail upon the following:

Mark J. Grady
Assistant U.S. Attorney
U.S. Attorney's Office
John Joseph Moakley U.S. Courthouse
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Boston MA 02210

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